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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,186	01/28/2004	Isao Shimada	2004_0064A	9858

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EXAMINER

DAVIS, DAVID DONALD

ART UNIT

PAPER NUMBER

2652

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/765,186

Applicant(s)

SHIMADA ET AL.

Examiner

David D. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. Receipt is acknowledged of the Information Disclosure Statement (IDS) received January 28, 2004.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kajino (JP 05-346829). As per claim 1, Kajino et al shows in figures 1 and 2 a portable information processing apparatus including a disk drive device 3 having a detachable disk recording medium; a disk cover for covering the disk drive device 3; a keyboard 4 for data input; and a casing main

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body. The disk cover can be opened and closed from the casing and the disk drive device 3 allows part of the disk recording medium to advance beneath the keyboard 4 when the disk recording medium is loaded into the disk drive device 3.

As per claim 2, Kajino et al shows in figure 1 keyboard 4 which is on the disk cover.

Arrow keys are inherent on keyboard 4 of Kajino et al, and the arrow keys are a pointing device for position input. As per claim 3, Kajino et al shows in figure 1 the disk cover including a protrusion 5. In section [0025] of Kajino et al, Kajino et al discloses the main body including a switch that opens or closes an electric circuit by the protrusion depending on opening or closing of the disk cover. The disk drive device 3 is controlled by the opening or the closing of the electric circuit. As per claims 6 and 7, Kajino et al shows in figures 1 and 2 a display unit rotatable about the main body with the margin of the display unit projects from the display device, which includes an urging arrangement and the margin hits against the disk cover when the display unit is closed.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajino (JP 05-346829). Kajino et al discloses the claimed invention. See description supra. Kajino et al also shows in figure 1 that the keyboard 4 is fixed to the casing. However, Kajino et al is silent as to the lower side of the keyboard 4 being made of a material of excellent heat conductivity and in contact with the heat generating parts in the casing. Kajino et al is also silent as to the disk drive device 3 being installed at an inclination so that the loaded disk recording medium is lower than in other parts toward the portion advancing beneath the keyboard 4.

Official notice is taken of the fact that materials of excellent heat conductivity utilized in computers are notoriously old and well known in the computer art.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to specify that the keyboard of Kajino et al is made of material of excellent heat conductivity as suggested in the art. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to specify that a keyboard was made of a material having excellent heat conductivity so as to reduce the heat in the computer so as not to damage any of the internal components necessary for operation.

It also would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disc device of Kajino et al at an inclination. The rationale is as follows: the purpose of the disk device is to record and/or reproduce information to and/or

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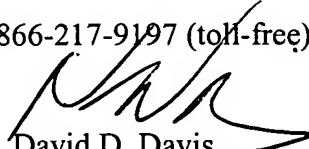
from a disc. The disc need not be at an inclination to record and/or reproduce information from a disc. Realizing this, one of ordinary skill in the art at the time the invention was made would have been motivated to provide the disc device at an inclination, which is well within the purview of a skilled artisan and absent an unobvious result, so as to provide extra room within the computer case and/or provide the keyboard and the palm resting area in an ergonomic fashion.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. L. Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
David D. Davis  
Primary Examiner  
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